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#### FACSIMILE TRANSMITTAL SHEET

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Serial no. 10/044,017	CIT.Q136

NOTES/COMMENTS:

Patent CIT.Q136

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: Scherer et.al.

Serial No.: 10/044,017.

Filed: Jan. 10, 2002

For: METHODS FOR CONTROLLING POSITIONS OF THE GUIDED MODES OF THE PHOTONIC CRYSTAL

WAVEGUIDES

Examiner: S. H. Pak Group Art Unit: 2874

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#### AMENDMENT AFTER FINAL

Hon. Commissioner of Patents and Trademarks Washington DC 20231

Sir:

In reply to the Office Action mailed Feb. 27, 2004, please enter the following amendments as placing the claims into an allowable condition, or at least in better form for appeal.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 this paper.

Remarks begin on page 10 of this paper.